

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JESUS ROSILES NOYOLA,)
)
 Petitioner,) CASE NO. C12-2280-RSL-MAT
)
 v.)
) ORDER TO SHOW CAUSE
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

Petitioner is a federal prisoner who is currently incarcerated at the Federal Correctional Institution at Sheridan, Oregon. He has presented to this Court for filing a document which he identifies as a “Petition for Order Compelling Counsel to Forward Entire Case File and All Other Requested Materials to Defendant.” Petitioner indicates in his petition that he requires documents currently in the possession of the United States Attorney so that he can pursue an appeal, apparently of an illegal re-entry conviction, and he asks this Court to direct that the documents be produced. Petitioner asserts that withholding the requested documents would violate his constitutionally protected right to access the courts.

01 Petitioner fails to identify in his petition any basis for this Court's jurisdiction over his
02 petition and, in fact, his petition appears to be nothing more than a document or discovery
03 request un-tethered from any underlying substantive action. Even assuming petitioner could
04 establish that this Court had subject matter jurisdiction over his request, nothing in the petition
05 suggests that this is the proper venue for his request. While petitioner is apparently seeking
06 documents from a prior federal prosecution, he does not indicate in his petition where or when
07 he was convicted, and a review of this Court's records shows no previous criminal action
08 against petitioner in this Court.

09 Based on the foregoing, this Court does hereby ORDER as follows:

10 (1) Petitioner shall SHOW CAUSE not later than *thirty (30) days* from the date on
11 which this Order is entered why this action should not be dismissed for lack of jurisdiction.
12 Failure to timely respond to this Order will result in a recommendation that this action be
13 dismissed.

14 (2) The Clerk is directed to send copies of this Order to petitioner and to the
15 Honorable Ricardo S. Martinez.

16 DATED this 19th day of March, 2013.

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19 Mary Alice Theiler
20 United States Magistrate Judge
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